IV.—GOVERNMENT BILL.

THE MADRAS APPROPRIATION (NO. 4) BILL, 1955.

* THE HON. SRI C. SUBRAMANIAM : Sir, I beg to introduce the Madras Appropriation (No. 4) Bill [a], 1955 and move—

"That the Bill be taken into consideration at once."

Yesterday the various Demands were discussed and voted upon. This is only a procedural matter and in accordance with the procedure, I am moving this Bill. If any points are raised during general discussion, I shall attempt to answer them.

MR. SPEAKER : Motion moved—

"That the Madras Appropriation (No. 4) Bill, 1955, be taken into consideration at once."

SRI K. KUNHI MOHAMED SHAFEE : Sir, while speaking on this Bill, I would like to invite the attention of the Government to one or two minor matters. One is about the scheme of colonization and development of the Andaman and Nicobar Islands. An amount of Rs. 2,500 has been allotted in the Supplemental Budget for the purpose. I request the Government to give the widest publicity possible to the matter of colonization of the Andaman and Nicobar Islands. Formerly, a large number of people used to go to the Andaman and Nicobar Islands just to live there and get some employment. Specially it was used as a place for the residence of criminals.

10-10 a.m. But, a considerable number of people from Malabar have gone and settled down there and found employment in those islands. Therefore, I would request the Government to give wide publicity about the colonization scheme prevailing there.

The second matter to which I wish to invite the attention of the Government is about the working of the Wakfs Act. An advance of about Rs. 50,000 has been allotted in the Supplementary Budget for meeting the cost of special staff employed for making a survey of wakf properties in this State. It is an Act of the Central Government which is being worked by the State Government. I submit, Sir, that the work of investigating, just ascertaining the assets of the wakfs itself has taken a long number of months. As far as Malabar district is concerned, the officers appointed for the purpose have even now not been able to ascertain the assets of a large number of wakfs. At this rate, the investigation may take a longer period than is necessary. Therefore, I would request the Government to issue necesary instructions to expediate the enquiries by the Wakfs Commissioner of the State Government. With these few words, I support the motion.

* SRI R. KRISHNAN : "മിസ്റ്റർ സ്പീക്കർ, സർ, ഈ ബില്ലിൽ ഉൾപ്പെട്ടിട്ടുള്ള സപ്ലിമെൻററി ഡിമാൻറുകളുടെ കൂട്ടത്തിൽ ചില പോലീസ് വകുപ്പ് ഉൾപ്പെടുന്നില്ലെങ്കിലും പാലക്കാട്ട് പോലീസ് ഉദ്യോഗസ്ഥന്മാർ ചെയ്തുകൊണ്ടിരിക്കുന്ന അഴിമതികളെപ്പററി രണ്ടു വാക്കു പറയാൻ ഞാൻ ഈ സന്ദർഭം ഉപയോഗപ്പെടുത്തുകയാണ്. പാലക്കാട്ട് എ. എസ്. പി. ചില സ്ഥാപിതതാല്പര്യക്കാർക്കുവേണ്ടി തൊഴിലാളികളെയും . . . .

[a] Published in the *Fort St. George Gazette*, Extraordinary, dated 29th November 1955.

26th November 1955]

MR. SPEAKER : The hon. Member should confine himself to the subject under discussion.

(The hon. Member Sri Krishnan then sat down.)

MR. SPEAKER : The question is—

"That the Madras Appropriation (No. 4) Bill, 1955, be taken into consideration at once."

The motion was put and carried and the Bill was considered.

Clause 2, the Schedule, Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

"That the Madras Appropriation (No. 4) Bill, 1955, be passed."

SRI T. C. NARAYANAN NAMBIAR : I am glad, Sir, that in the Appropriation Bill and also in the Supplementary Budget, the Government have not had any opportunity to ask for supplementary grant with regard to the Police. I am glad about that, Sir. But, if things that are happening to-day are allowed to continue, I am afraid that we may not be in a position to stop with the Bill that we pass now. For example, in Palghat, where the agricultural labourers wanted to implement the terms agreed to in the presence of the Magistrate, a certain landlord there violated the terms of the agreement and at the instance of the landlord, the Assistant Superintendent of Police, Palghat, has invoked the Police Act in a particular area, that is, in Kollengode. There, it is known that indiscriminate lathi charges and repression have been resorted to by the Police. That is why, I submit, if we want to see that we confine to the Bill that is before the House, such undesirable happenings have to be avoided and proper action should be taken against those who violate the Act and the rules and take the law into their own hands.

* THE HON. SRI C. SUBRAMANIAM : Sir, of course, a great attempt was made by the hon. Member to make these observations relevant. The hon. Member mentioned that he was glad that no supplementary grant was required in respect of the Police. I may tell him that that is mainly due to the attitude of the Communist Party and due to their good behaviour. If they continue this good behaviour, there will be no necessity to ask for supplementary grant. On the other hand we will be able to save some thing out of the present allotment. Therefore, I would appeal to the hon. Member to see that there is no necessity to ask for a supplementary grant and also to see that there is some saving in the Police grant.

MR. SPEAKER : The question is—

"That the Madras Appropriation (No. 4) Bill, 1955, be passed."

The motion was put and carried and the Bill was passed.

V.—NON-OFFICIAL BUSINESS.

A. Bills.

(1) THE MALABAR TENANCY (SECOND AMENDMENT) BILL, 1954 (L.A. BILL NO. 41 OF 1954).

* SRI M. NARAYANA KURUP : Mr. Speaker, Sir, I move—

" That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members from the Assembly and 8 Members from the Council) to consider the Malabar Tenancy (Second Amendment) Bill, 1954 (L.A. Bill No. 41 of 1954), and that the following Members of this House be selected to serve on such a Joint Select Committee.'"

(List of names to be furnished later.)

Sir, I wish to apologize for presenting this motion on the eve of the important constitutional changes and redistribution of States. However, the matter is so urgent that it cannot wait for one or two years to take its final shape till we decide on the future constitution of our State. The matter is also very simple, Sir. The House is aware that some important changes were made in the Malabar Tenancy Act in 1954 concerning fixation of fair rent and fixity of tenure. Of course, those are the two important items in any scheme of tenancy legislation. From time to time when various committees considered this question and experts submitted their reports, two things were made quite clear. One is that no cultivating tenant of whichever nomenclature, should be allowed to pay more than what is the fair rent and the other is that there must be a certain sort of fixity with regard to the tenure. Sir, this 1954 legislation itself was preceded by the Kuttikrishna Menon Committee Report which was scrutinized further by the expert Sri Raghavendra Rao. The Government considered that question and arrived at certain conclusions on which basis the 1954 Act was framed. I will read that portion of the Government's conclusion, Sir—

" All cultivating verumpattamdars, cultivating kuzhikanamdars, cultivating kanamdars, cultivating customary verumpattamdars and also all separate kudiyiruppu tenants on lands cultivated with pepper as the principal crop will be liable to pay fair rent or contract rent whichever is less."

10-20 a.m. Sir, I am not here concerned with the latter portion, that is the liability to pay whichever rent which has been prescribed in the Act of 1954. The only purpose of this Act or my amending Bill is to bring the cultivating kanamdar and the cultivating customary verumpattamdar to the position mentioned by or decided upon by the Government after considering the whole report. The present Act fixes the fair rent and allows the tenant to apply for it. The operative portion of Section 28 of the Malabar Tenancy (Amendment) Act, 1954 (Madras Act VII of 1954), begins thus—

" Every cultivating tenant of a holding other than a kanamdar or customary verumpattamdar."